

REMARKS

Claims 1-6 and 9-11 are pending in this application. Claims 1, 5 and 9 have been amended. Favorable reconsideration is respectfully requested.

Applicants thank the Examiner for the indication that claims 10 and 11 are allowed.

Claims 1, and 3-6 were rejected under 35 U.S.C. § 102(b) over U.S. Patent No. 1,801,490 (Falstrom). Claims 2 and 9 were rejected under 35 U.S.C. § 103 over Falstrom in view of U.S. Patent No. 4,610,185 (France). Applicants submit that the claims are patentable for at least the following reasons.

Amended independent claim 1 relates to a punching apparatus for punching a hole at a predetermined location on a work piece. The apparatus includes: a punch integrated into any one of a moving part of a press working machine and a supporting part of the press working machine; and a die integrated with the other one of the moving part and the supporting part, wherein each of the punch and the die has a plurality of planes to be fitted with datum planes of a fitting jig for positioning the punch and the die with respect to each other and at least one plane of the punch and at least one plane of the die are simultaneously fitted with the same datum plane of the fitting jig.

In Falstrom, the die 10 is fixed to the bottom master bolster 2 by the cross-key 6, which is inserted into the channel 4 in the bottom master bolster 2 and the channel 8 in the die 10. The upper punch 9 is fixed to the master bolster 1 by the cross-key 5, which is inserted into the channel 3 in the master bolster 1 and the channel 7 in the upper punch 9, so that the die 10 is positioned relative to the bottom master booster 2 and the upper punch 9 is positioned relative to the top master booster 1.

The Office Action appeared to take the position that Falstrom's cross-key 6 corresponds to the fitting jig of the invention defined by claim 1. However, in view of the fact that the die in Falstrom is fitted with its master bolster by use of the cross-key 6, and the punch is fitted with its master bolster by use of *another* cross-key 5, the punch and the die in Falstrom cannot be said to be simultaneously fitted to the datum planes in the single jig so as to mutually align in a corresponding manner, as in amended claim 1.

In France, a top shoe 12 that faces to the bottom shoe 14 is supported by the guide post 16 and is movable along the longitudinal direction of the guide post 16. In France, the gage block 80, the gage post 82, and the dowel 78 guide the bottom shoe 14 so that it does not rotate around the guide post 16. France also shows another dowel 78 and gage post so that the bottom shoe 14 does not rotate around the guide post 16. However, France does not teach or suggest the planes which are formed in the punch and the die to contact with the datum planes in the single fitting jig so as to position the punch and the die with respect to each other as specified in amended claim 1.

In view of the above, amended independent claim 1 is believed clearly patentable over the cited art.

Amended independent claims 5 and 9 recite substantially similar features and are believed patentable for substantially similar reasons.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

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Respectfully submitted,

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